

July 26, 2016

The regular meeting of the Council of the City of Martinsville, Virginia was held on July 26, 2016, in Council Chambers, Municipal Building, at 7:30 PM with Mayor Danny Turner presiding. Council Members present included Danny Turner, Jennifer Bowles, Gene Teague, Mark Stroud and Sharon Brooks Hodge. Staff present included City Manager Leon Towarnicki, Assistant City Manager Wayne Knox, Finance Director Linda Conover, Clerk of Council Karen Roberts, Officer Coretha Gravely, Police Chief Sean Dunn, Animal Control Officer E.C. Stone and Community Planner Susan McCulloch.

Mayor Turner called the meeting to order and advised Council would go into Closed Session beginning at 7:00 PM. In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Council Member Hodge, seconded by Vice Mayor Bowles, with the following 4-0 recorded vote: Vice Mayor Bowles, aye; Council Member Hodge, aye; Council Member Teague, aye; and Mayor Turner, aye. Council Member Stroud was not present during the vote. Council convened in Closed Session to discuss the following matters: (A) Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during the Session. A motion was made by Vice Mayor Bowles, seconded by Council Member Hodge, with the following 5-0 recorded vote in favor to return to Open Session: Council Member Stroud, aye; Mayor Turner, aye; Council Member Teague, aye; Vice Mayor Bowles, aye; and Council Member Hodge, aye.

Following the invocation by Council Member Stroud and Pledge to the American Flag, Mayor Turner welcomed everyone to the meeting.

Consider approval of minutes from the July 12, 2016 Council Meeting – Mayor Turner made a correction referring to the comments by City Manager. Vice Mayor Bowles made a motion to approve the minutes, motion was seconded by Council Member Hodge with a 5-0 Council vote in favor to approve the minutes as corrected.

Present a proclamation to Jim Tobin on his retirement as Executive Director of Piedmont Community Services – Council Member Stroud read the proclamation then along with other Council Members, presented it to Mr. Tobin. Stroud thanked him for his dedication and service. Mr. Tobin said it had been an opportunity to represent Piedmont Community Services over the years and thanked the Council Members. Vice Mayor Bowles said Tobin was a valuable asset to the community. Council Member Teague also thanked him for his service.



PROCLAMATION

**RECOGNIZING JIM TOBIN UPON HIS RETIREMENT AS
EXECUTIVE DIRECTOR OF PIEDMONT COMMUNITY SERVICES**

WHEREAS, Jim Tobin has served as Executive Director of Piedmont Community Services since 1990, and also served as Executive Director of the Patrick-Henry Drug and Alcohol Council from 1974 to 1990; and

WHEREAS, Jim Tobin has retired as Executive Director effective July 1, 2016 after serving the needs of our community for more than 40 years in the areas of planning, coordinating, and operating a comprehensive community system of mental health and substance abuse services; and

WHEREAS, During his tenure, Jim Tobin served our community in an exemplary manner providing the highest level of care and services; and

WHEREAS, Through his leadership, Piedmont Community Services is well-positioned to continue serving the needs of our community for years to come;

NOW THEREFORE, on this 26th day of July, 2016, the Martinsville City Council hereby proclaims their thanks and appreciation to Jim Tobin for his dedication and service to our community, and offer our best wishes for a long and happy retirement

Danny Turner, Mayor

Presentation of Proclamation regarding Tuesday, August 2, 2016 National Night Out –
Council Member Hodge read the proclamation. Police Chief Sean Dunn thanked the Council Members for the opportunity to be recognized and thanked the neighborhood captains for being present. He stated that Officer Coretha Gravely and the neighborhood captains are the Night Out Dream Team. Activities are being offered August 2, 2016 from 6:00-8:00pm and invited everyone to attend. Dunn said he hopes to see Council Members and citizens at all of the locations. Vice Mayor Bowles stated that the City Police Department has a great relationship with the community. Council Member Stroud said the City could not have the success it does without the participation by the neighborhood captains.



PROCLAMATION

NATIONAL NIGHT OUT

August 2, 2016

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 2, 2016 entitled "National Night Out"; and

WHEREAS, the Annual National Night Out provides a unique opportunity for the City of Martinsville to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Martinsville City Council plays a vital role in assisting the Martinsville Police Department and Sheriff's Office through joint crime, drug and violence prevention efforts in the City of Martinsville and is supporting "National Night Out 2016" locally; and

WHEREAS, it is essential that all citizens of Martinsville be aware of the importance of crime prevention programs and impact that their participation in Neighborhood Watch groups and their community can have on reducing crime, drugs and violence in Martinsville; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" and Neighborhood Watch programs; now, therefore

I, Danny Turner, Mayor of the City of Martinsville, Virginia, do hereby call upon all citizens of Martinsville to join City Council and the National Association of Town Watch in supporting the "Annual National Night Out" and do hereby proclaim Tuesday, August 2, 2016 as **NATIONAL NIGHT OUT AGAINST CRIME** in the City of Martinsville.

Danny Turner
Mayor

Conduct a public hearing regarding rezoning property located at 925 Boden Street from R-9 Residential to C-3 Commercial – Susan McCulloch summarized previous meetings and a duly advertised public hearing held previously as well as requirements needed for rezoning approval. Staff recommends Council approve the request to rezone the property. Bowles asked about the guardrail on Boden Street. McCulloch said Chris Morris, City Engineer was following up on the guardrail concern. Hodge asked if McCulloch had received any correspondence from any other residents regarding the fencing. McCulloch said no one had contacted her with any real concerns for or against rezoning. Bowles asked for confirmation that signatures were not required, McCulloch confirmed that Mr. Wright obtained the signatures only as a show of support. Mr. Wright, property owner thanked Council for their time. Mayor Turner opened the public hearing. No one approached the podium so the public hearing was closed. Teague thanked Mr. Wright for reaching out to the area residents and said it showed that he was trying to be a good neighbor. Hodge echoed Teague's comments and thanked Mr. Wright for his cooperation. Bowles made a motion to approve rezoning the property as requested, Hodge seconded the motion with all members voting in favor.

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May 17, 2016

To: City of Martinsville Zoning Department
City of Martinsville Planning Commission
City of Martinsville City Council
or to Whom It May Concern

I/we the undersigned understand that Sammy Wright, operator of Church Street Auto, has applied for rezoning of Lot 25 Boden Street adjacent to Church Street Auto from R-9 Residential to C-3 Commercial to be used for overflow parking of road ready vehicles for sale and for employee daily parking. Inoperable vehicles will not be stored on this lot and that screening fence will be erected as recently fence has been erected, once zoning is approved. Therefore, with this being said and agreed upon I/we do not object to this property being rezoned as applied for.

NAME	ADDRESS	DATE
Joseph D. Martin	921 Boden St	5/17/2016
Margaret Davis	1003 Cherry St	5/17/2016
Rekny Jones	1020 Jordan St	5/17/2016
Garrett Summons	103 Cherry St	5/17/16
Bill Martin	1034 Cherry St	5/17/16
Marion J. Carter	1100 Cherry St	5/17/16
Domestius Davis	1102 Cherry St	5/17/16

925 Boden Street



June 13, 2016

Mayor Darryl Turner
City of Martinsville
55 W Church Street
Martinsville, VA 24112

Dear Mayor Turner,

On Thursday, May 19, 2016 at 2 PM in Council Chambers, the Planning Commission held a duly advertised Public Hearing to consider a request from Sammy Wright to rezone Lot 925 Boden Street from R-9 Residential to C-3 Commercial.

Currently, the property owner is operating Church Street Automotive, a use allowed by-right. The property owner is requesting a rezoning of lot 925 Boden Street to use it for egress, to access adjoining property, and for overflow parking for his business.

Due to requests from neighbors and later the City, the applicant has erected a fence on a portion of the rear property line to buffer the inoperable vehicles from view on Boden Street. As requested by the City, the applicant has moved vehicles off of the residential lot and City right-of-way. Should the rezoning be approved, the applicant will install a fence around the lot to shield it from the residential neighbor.

Approximately 12 people were in attendance at the meeting. A person who has interest in the neighborhood spoke, stating that Mr. Wright should be a good neighbor and that he needs to maintain the lot and that the neighbors he spoke to prefer the shielding offered by the fence. Another person (non adjacent), asked about the parking on the street, indicated concern about Jordan Street Parking and asked about a guard rail. An adjacent property owner spoke, but didn't speak for or against the rezoning.

In order to assure compliance with Virginia Code 15.2-2200, it is stated that the purpose for which this resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice.

The Planning Commission voted unanimously (6-0) to approve the rezoning with three conditions. They are as follows:

- 1) That the fence be built on the lot according to zoning requirements within 60 days after final approval should it be given
- 2) That the property owner continue to keep vehicles off of city right-of-way, which should be understood, but needs to be added for the record.
- 3) That 925 Boden Street remain free of vehicles until a fence is built

If approved, the official Zoning Map needs to reflect this change.

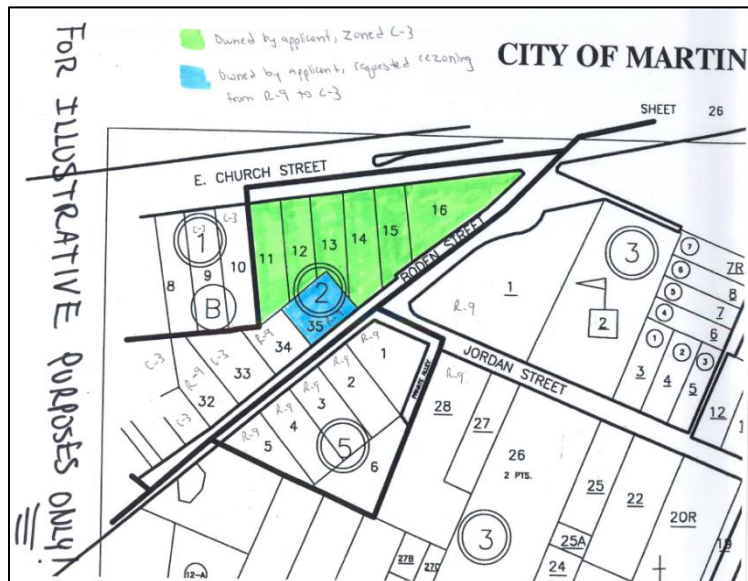
The Commission requests Council to schedule a public hearing to consider the rezoning of 925 Boden Street.

Regards,

Timothy Martin

Tim Martin
Chair, City of Martinsville Planning Commission

TDM/sm



Hear a presentation from Virginia First Cities – City Manager Leon Towarnicki introduced members of VFC. He said there was information provided at a previous meeting so he had asked those representatives to attend a Council meeting to share those details with Council Members. Kelly Harris-Braxton, Executive Director of Virginia First Cities presented a PowerPoint and printed information to Council regarding Virginia First Cities. She summarized what VFC represents and how it began. She pointed out that Council Member Stroud and City Manager Towarnicki are VFC board members. She detailed VFC membership and policy priorities. Vice Mayor Bowles and Council Member Hodge questioned VFC relationship with schools related to education. Teague asked if Towarnicki would be on the Brownsfield call Wednesday. VFC Legislative Director Laura Bateman explained VFC advocacy along with the General Assembly 2016 initiatives and outcomes regarding education and public safety. Mayor Turner asked if the City had Brownsfield money set aside, Assistant City Manager Wayne Knox explained that the money set aside is assessment money. Also present was Jim Regimbal of Fiscal Analytics, LTD who described state revenues under-performance in FY2016 and where budget cuts would take place. He explained theories for slowing Virginia Revenue Growth. Teague suggested that strategies should probably be put into place now for shortfalls expected next year. Turner asked about a measure for economic development success. Braxton said they are always willing to discuss changes to policies.

Hear a presentation from Police Animal Control regarding a summer intern project related to pets, pet safety, and microchipping – City Manager Towarnicki introduced the Police Department's summer intern Hunter Jennings, a rising senior at Virginia Tech and E.C. Stone, City Animal Control Officer. Jennings shared her education history and details on her major. She detailed her project including research involved in her internship. Her focus was on microchip usage including laws, regulations, usage, pros and cons. She says if an animal is lost to contact the SPCA or animal control and not the veterinarian office. She detailed some animal control laws including noise violations, registration, vaccination, and maximum

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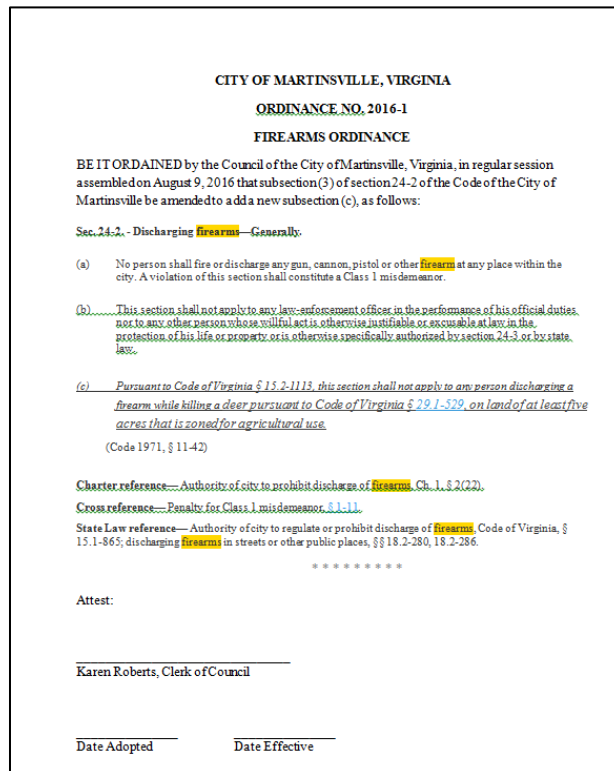
number of animals allowed at a City residence. She detailed leash and chain laws. She summarized issues and concerns of abandonment, animals left in hot cars, dogs running at large, bites, and City ordinances regarding livestock and fowl. Bowles asked about electronic fencing, Stone explained underground fencing and wireless monitor systems. Jennings explained charges of impoundment and animal cruelty charges. Hodges asked about the number of animals within the City that are microchipped. Teague said the City contributes to the SPCA to ensure the City's location is a no-kill shelter. Jennings thanked Chief Dunn, Police Captain Fincher and Stone for allowing her to participate in the internship this summer.

Consider setting a public hearing for Council's August 9, 2016 meeting for the purpose of receiving names of citizens interested in an appointment for one unexpired 3-year term on the Martinsville City School Board ending June 30, 2017 – City Manager Towarnicki said the hearing would be set for August 9 and any resident interested would need to present themselves at that meeting or have their name mentioned. Council Member Teague made a motion to set hearing for August 9, Vice Mayor Bowles seconded the motion with all Council Members voting in favor.

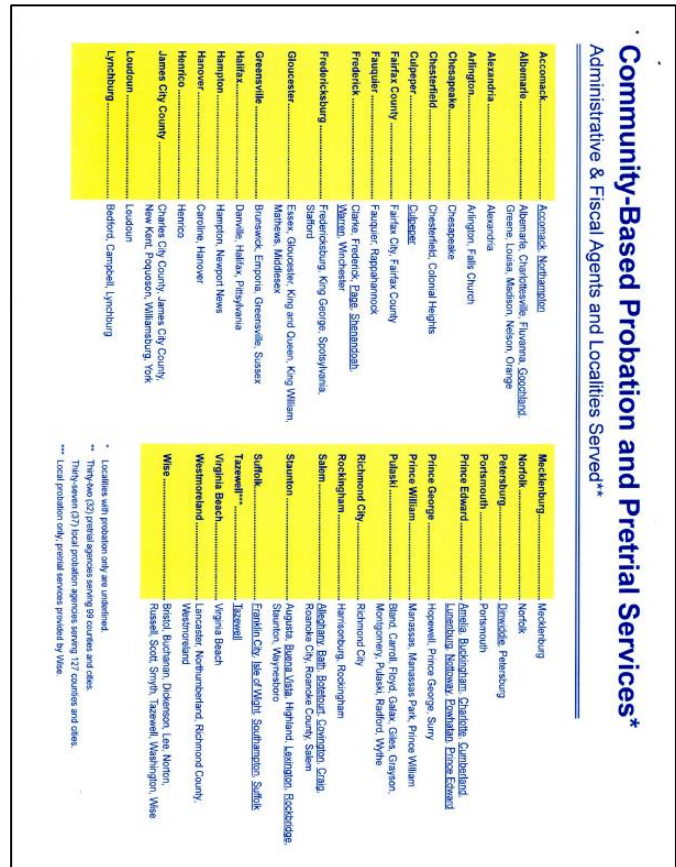
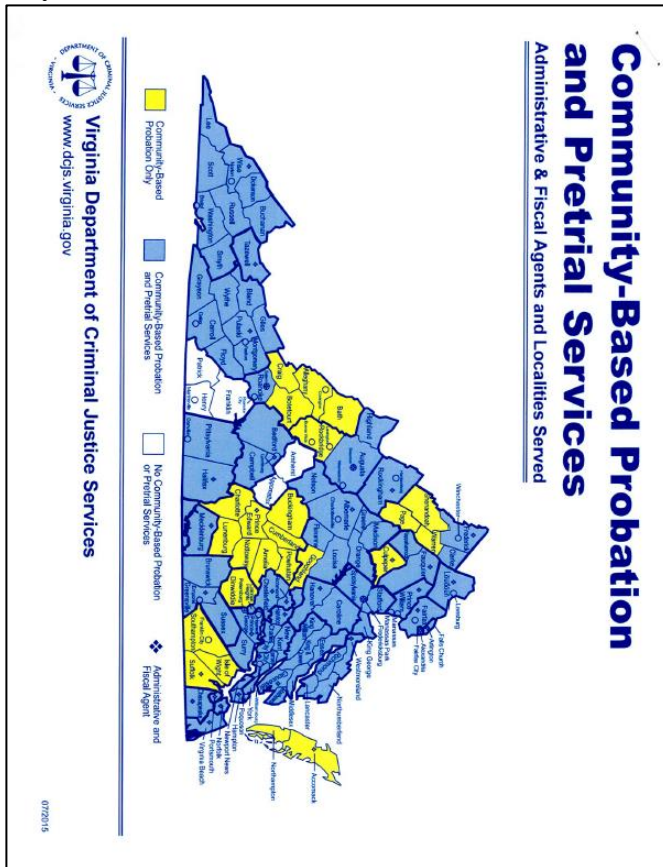
SCHOOL BOARD			
SCHOOL BOARD – The School Board is declared a body corporate. In its corporate capacity, it is vested with all the powers and charged with all the duties, obligations, and responsibilities upon school boards by law. It may sue, be sued, contract, be contracted with, and in accordance with the provisions of this title, purchase, take, hold, lease, and convey school property both real and personal. The School Board has the following powers and duties: 1) to make rules for the governance of the schools within its jurisdiction; 2) to determine the curriculum, methods of teaching, methods of administration and governance, and the length of the school term; 3) to employ and dismiss teachers upon the recommendation of the superintendent; 4) to suspend or expel pupils when necessary; 5) to establish such schools as are necessary in the judgement of the Board to so constitute a complete and efficient system; 6) to control and manage funds made available to the Board for the purpose of conducting free public schools; 7) examine all claims for payment and authorize payment; and 8) to submit annually to City Council a budget request.			
TERMS: The Board consists of five members serving three-year terms appointed by City Council. School Board members can serve a maximum of three 3-year consecutive terms.			
Meetings are held on the second Monday of each month.			
CONTACT: Ms. Pam Heath, Superintendent, 403-5700, P.O. Box 5548, Martinsville, VA 24115			
Name & Address	Initial Appointment	Term Expires	Full Term
Eric Hruza, 707 Mulberry Rd	6/30/16	6/30/19	1
Craig B. Dietrich, 1227 Lanier Rd - occupied 6/10/14 (resigned 2/13/14)	6/14/11	6/30/17	2
Victor Correa, 1242 Sam Loria Tr.	6/10/14	6/30/17	1
Lawrence Mitchell, 700 Second St	6/16/15	6/30/18	1
Joan Montgomery, 807 Corn Tassel Tr.	6/16/15	6/30/18	1

NOTE: If a Board or Commission does not specify number of terms a person can serve, then the number of terms defaults to three terms per a policy adopted by City Council December 11, 1990. (per city attorney 4/26/11) Two exceptions (1) if no one is interested (2) no one qualified has applied, then the person holding the position can serve another term if Council chooses.

Consider adoption of draft Firearms Ordinance on first reading – City Attorney Monday says the Commonwealth is specific about how localities can regulate firearms. A state code was changed that affected land that was over 5 acres or zoned agricultural and since the City does not have either then that change was never made. Vice Mayor Bowles made a motion to approve the adoption on first reading, Council Member Hodge seconded the motion. Roll call vote: Hodge, aye; Bowles, aye; Stroud, aye; Teague, aye; Turner, aye.



Consider support of a grant application to provide funding for implementation of community based pre-trial and/or local probation services: City Manager Towarnicki asked for approval of the grant application letter provided to Council. He explained the map related to community-based probation and pretrial services and the grant information provided. One option for office space to manage the program would be the Housing office. The program is a popular and widespread program in the state and very unlikely that the grant money will diminish over time. Towarnicki said this could be the last opportunity to take advantage of the program. Martinsville City would partner with Henry County and Patrick County. Council Member Hodge made a motion to approve the letter, Vice Mayor Bowles seconded the motion with all Council Members voting in favor.



Council Members
 Danny Turner, Mayor
 Jennifer Bowles, Vice-Mayor
 Sharon Brooks-Hodge
 Mark Stroud
 Gene Teague

Martinsville
A CITY WITHOUT LIMITS

City Manager
 Leon E. Townsicki
City Attorney
 Eric H. Monday
Clerk of Council
 Karen Roberts

July 26, 2016

To Whom It May Concern:

By action of the Martinsville City Council at their regular meeting on July 26, 2016, please consider this letter as the City of Martinsville's support for an application for grant funding to implement community-based probation and pretrial services, none of which are currently provided in our locality.

This letter of support is with the understanding that a partnership with Halifax/Pittsylvania Court Services is the most economical option to implement these programs for our locality and the most efficient manner to pursue grant funding from the Virginia Department of Criminal Justice Services.

We look forward to offering these services locally. Should you have questions or need additional information, please let me know.

Sincerely,

Danny Turner, Mayor

55 West Church Street, P. O. Box 1112, Martinsville, VA 24114-1112 276-403-5180 Fax: 276-403-5280
 www.martinsville-va.gov

COMMONWEALTH of VIRGINIA
 Department of Criminal Justice Services

Francine C. Ecker
 Director

May 20, 2015

Memorandum

To: City Managers and County Administrators of Eligible Localities

From: Francine C. Ecker, Director

CC: All Local Probation and Pretrial Services Agency Directors

Subject: Announcement of New Grant Funding for Expansion of Pretrial Services and/or Local Probation to Unserved Localities

The Department of Criminal Justice Services (DCJS) is pleased to announce the availability of grant funding for the Expansion of Pretrial Services and/or Local Probation to unserved localities for FY2017 under the Pretrial Services Act (PSA) and the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) set forth in §§19.2-152.2 et seq. and 9.1-173 et seq. of the Code of Virginia. The PSA and the CCCA funding provide an array of community-based services and sanctions administered and managed at the local level. Participation in these two Acts is a local option. More information about these services and agency functions can be found on the DCJS website at PSA and CCCA information and in the Pretrial Services Act (PSA) set forth in §§19.2-152.2 and the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) in §§9.1-173 et seq. of the Code of Virginia.

The Governor and the General Assembly appropriated \$1.5 million in grant funding for FY17 and \$2.0 million for FY18 to facilitate the expansion of pretrial services and/or local probation. This funding would enable you to provide pretrial services and/or local probation to residents of your locality. DCJS will award funds through a competitive grant process for one of the following models:

- Expanding the services currently provided by a local probation agency to include pretrial services;
- Partnering with an existing local probation and/or pretrial services agency in a contiguous jurisdiction to expand services to your locality; or
- Creating and implementing a new local Pretrial/Community Corrections Agency in accordance with the Pretrial Services Act (PSA) and the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) set forth in §§19.2-152.2 et seq. and 9.1-173 et seq. of the Code of Virginia.

DCJS invites you to send a letter of Intent if you anticipate applying for funding for your locality. The letter should include which model you expect to pursue and which existing agency you anticipate collaborating with, if applicable. Please describe in the letter the commitment from the stakeholders who are most affected or involved with your efforts to expand services (judges, sheriff/jail administrator(s), Commonwealth Attorney(s), public defenders/indigent defense). Please submit this letter electronically to DCJS by June 20, 2016, to cccap@dcjs.virginia.gov. This letter is not binding; however, it will give us a sense of which localities may be interested in seeking funds for these purposes.

DCJS expects to issue a Grant Guideline in June 2016 outlining eligibility and how to apply for funding, allowing adequate time for you to prepare for the grant submission. Please be aware that we anticipate a competitive process; it is likely that not all requests will be funded. If you have any questions, contact Ken Rose at (804) 225-4329 or Paula Harpster at (804) 786-1140.

Criminal Justice Services Board • Committee on Training • Advisory Committee on Juvenile Justice and Prevention
 Advisory Committee to the Court Appointed Special Advocate and Children's Justice Act Program
 Advisory Committee on Sexual and Domestic Violence • Public Security Services Advisory Board

www.dcs.virginia.gov

Comments by members of City Council – Council Member Stroud appreciates prayers for his daughter-in-law who's expecting her first child. Council Member Hodge said that in November the Governor would hold a Housing Summit including five regional forums. She

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thanked Martinsville, Henry and Patrick County Association of Realtors for participating. One main issue is the lack of quality affordable rental units due to age of properties and HUD standards. Virginia Housing provides a tool/calculator on the website with data that should be adjusted. Hodge also said a representative for Senator Tim Kaine contacted her to get input on the legislative agenda and the West Piedmont Planning legislative agenda including I73, brownsfield opportunities, affordable housing and potential impact of a reversion. Vice Mayor Bowles added that lowering the minimum income adjustment would be a good idea. She thanked former School Superintendent Pam Heath and Craig Deitrich on their service on the school board and congratulated Interim Superintendent Talley on his appointment. Mayor Turner announced that the last Mustangs fireworks show would be Friday, August 5 and there would be a movie premier titled The Dressmaker on August 4.

Business from the Floor (not televised) – Hardin Edwards, local veteran is requesting the City to erect a sign on City bridges to honor local veteran Paul Shorter, the most decorated soldier during WWII, Korea and Vietnam and in memory of Pearl Harbor survivor Herbert Gibbs who passed away September 2015. Edwards asked that the City pay tribute to each of these veterans. Mayor Turner said this request would be referred to the Veterans Service Organization so action can be taken to recognize these two soldiers. Turner turned the information over to the City Manager to follow up.

Ural Harris of 217 Stewart Street referred to a letter regarding a lottery refund suggesting the refund be split between the City and Henry County.

There being no further business, a motion was made by Council Member Teague to adjourn the meeting, seconded by Council Member Hodge with all Council Members voting in favor. The meeting adjourned at 9:51pm.

Karen Roberts
Clerk of Council

Danny Turner
Mayor